

PR07-0303

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ORIGINAL June 6 2007

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

1 **Milton Datsopoulos, Esq.**
2 DATSOPOULOS, MacDONALD & LIND, P.C.
3 201 West Main Street, Suite 201
4 Missoula, Montana 59802
5 Telephone: (406) 728 - 0810
6 Attorney for Petitioner

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7
8 **IN THE SUPREME COURT OF THE STATE OF MONTANA**

9 IN RE THE STUDENT PRACTICE
10 PETITION OF JOSEPH RAY CASILLAS

No. AF 07-0393

11 **ORDER**

12 Pursuant to Counsel for Petitioner's Motion For Supervised
13 Practice filed herein, the Motion being uncontested, and good
14 cause appearing,

15 **IT IS HEREBY ORDERED** that Petitioner, Joseph Ray Casillas,
16 pursuant to the Montana Student Practice Rule, be permitted to
17 student practice on the following conditions:

18 I. Petitioner, Joseph Ray Casillas, may appear in any court or
19 before any administrative tribunal in the state of Montana on
20 behalf of any person if the person on whose behalf he is
21 appearing has indicated in writing his consent to that
22 appearance and the supervising lawyer has also indicated in
23 writing approval of that appearance, in the following matters:

24 (a) Any civil matter. In such cases the supervising lawyer
25 is not required to be personally present by the judge,
magistrate, or referee before whom the matter is pending.

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1 (b) Any criminal matter in which the defendant does not
2 have the right to the assignment of counsel under any
3 constitutional provision, statute, or rule of this Court. In
4 such cases the supervising lawyer is not required to be
5 personally present in court.

6 (c) Any criminal matter in which the defendant has the
7 right to assignment of counsel under any constitutional
8 provision, statute, or rule of this court. In such cases the
9 supervising lawyer must be personally present throughout the
10 proceedings and shall be fully responsible for the manner in
11 which they are conducted.

12 (d) In each case the written consent and approval referred
13 to above shall be filed in the record of the case and shall be
14 brought to the attention of the judge of the court or the
15 presiding officer of the administrative tribunal.

16 (e) Under supervision of a State Bar of Montana member, but
17 outside the presence of that lawyer, an eligible law student may
18 engage in other activities, including:

19 1. The preparation of pleadings and other documents to be
20 filed in any matter in which the student is eligible to appear,
21 but such pleadings shall be signed by the supervising lawyer.

22 2. Preparation of briefs, abstracts, and other documents to
23 be filed in appellate courts of this state, but such documents
24 shall be signed by the supervising lawyer.

25 3. Negotiations may be engaged in after prior consultation
with and with express consent of the supervising lawyer.

1 Negotiations are subject to final approval of the supervising
2 lawyer.

3 DATED this 6th day of June, 2007.

4 Karla M. Inay
5 Chief Justice

6
7 Patricia Cotten

8 Brian Moun

9 James

10 W. William Saphant

11 Jim Rice
12 Justices